

So am I highly critical of the legislative process we undergo on the floor? Absolutely, I am. But I didn't criticize the majority leader in a personal or discourteous way. I didn't accuse him of "talking out of both sides of his mouth," as he did of this Senator. I wasn't attacking him personally; I was defending the rights of 99 other Senators as well as my own rights as a Senator.

What exactly is the majority leader afraid of, anyway? Taking a few hard votes? We are paid to take hard votes. We are sent here to exercise our best judgment on behalf of our constituents. That is how our Republic is designed.

It does not have to be that way. Consider how amendments are handled in the Judiciary committee, as an example—something that ought to be followed here in the U.S. Senate.

Our chairman—I should say the senior Senator of this body, the President pro tempore, Senator LEAHY—our chairman does not tell us in the minority—Republicans—or even the Democrats what we are allowed to offer; nor does he tell us how many amendments we are allowed to offer.

He controls the agenda, as you would expect a chairman to do. But we get to offer amendments. As a result, every single Senator of our committee—whether they like it or not—contributes to the process.

The chairman controls the agenda. The minority offers amendments. And the majority has to vote on those amendments. That happens to be the process.

That is what happens when you have a chairman who respects the rights of U.S. Senators. There is absolutely no reason we could not do exactly that same thing right here on the floor of the U.S. Senate.

Let me mention one other thing about what the majority leader said the other night because I found it particularly offensive.

Immediately after accusing me of "talking out of both sides of my mouth," the majority leader suggested that the people of Iowa, my constituents, should pay attention to what I say and what I do. Well, they do.

But let me relate something to my colleagues about how I keep track, keep in touch with Iowans. The people of Iowa know who they elected to the Senate. They know that ever since I was first sworn in in this body in January 1981, I have fought all day, every day, to represent them.

I know my constituents. They know me. I go to constituent meetings in every county—every one of 99 counties—every year. Multiply that 99 by 32 years, and you get a fairly large number. I have been in 25 counties so far this year. So I talk to my constituents. I read their mail. I know, for instance, how hard ObamaCare has been on families in my State.

So I find it personally offensive for the majority leader to come to the floor, as he did last Wednesday, and ac-

cuse Americans, including my constituents, of telling lies when they share their stories about how ObamaCare is impacting them.

Last Thursday evening the majority leader came to the floor so he could, as he described it, "say a few words about the man who does all the objecting around here."

Well, Mr. President, do I object? You bet I do. So do the rest of my committee members on the Judiciary Committee when it comes to things of the Judiciary Committee; so does the rest of our caucus.

We object to the authoritarian way this Senate is being run. We object to being shut out of the legislative process. We object to dismissing constituent stories of ObamaCare as lies. We object to taking to the floor of the U.S. Senate to attack fellow citizens as "un-American" because they have the audacity to exercise First Amendment rights. And, yes, we object to the discourteous ad hominem attacks on Senate colleagues because they choose to exercise their right to demand recall votes on lifetime appointments.

It should stop. The Senate should return to being the greatest deliberative body in the world.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. TOOMEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ADEGBILE NOMINATION

Mr. TOOMEY. Mr. President, I rise to speak on the nomination of Debo Adebile to serve as Assistant Attorney General for the Justice Department's Civil Rights Division.

Some Americans may vaguely recall Mumia Abu-Jamal from the "Free Mumia" T-shirts and posters that once cluttered college campuses.

Maureen Faulkner will forever remember him as a cold-blooded cop killer who left her as a widow at age 24.

Maureen Faulkner has endured three decades of endless appeals and a dishonest international campaign to turn her husband's killer into a celebrated icon for some on the radical left.

Now one of the lawyers who helped promote that campaign, Debo Adebile, has been nominated to lead the Justice Department's Civil Rights Division. This cannot stand and I hope the Senate will not confirm him.

Let's review the facts.

At 3:51 a.m. on December 9, 1981, 25-year-old police officer Daniel Faulkner pulled over a car in the city of Philadelphia. The car's headlights were off, driving the wrong way down a one-way street.

The driver exited the car and began assaulting Officer Faulkner. The driv-

er's brother, Mumia Abu-Jamal, was watching from across the street. Four eyewitnesses saw Abu-Jamal race across the street, shoot Daniel Faulkner in the back, and while Officer Faulkner was lying helplessly on the ground, Mumia Abu-Jamal shot several more bullets into Faulkner's chest and face.

Three other witnesses heard Abu-Jamal brag that he had shot Daniel Faulkner and hoped that Faulkner would die.

During the trial, when Daniel Faulkner's bloodstained shirt was displayed, the jury saw Abu-Jamal turn in his chair and smirk at Officer Faulkner's young widow Maureen.

So it was no surprise when a Pennsylvania jury took just 3 hours to convict Abu-Jamal of murder, and the next day 2 hours to sentence him to death.

Instead of allowing Daniel Faulkner's young widow to grieve in peace, a group of political opportunists decided to use this case to further their own political agendas. They fabricated claims of racism. They spread lies about the trial and the evidence. They organized rallies that, amazingly, portrayed Mumia Abu-Jamal as the victim.

Before long, Abu-Jamal was a cause celebre, complete with adoring Hollywood celebrities, "Free Mumia" T-shirts and posters. He had his own HBO special, and they even named a street after him in Paris.

In 2009, 27 years after Daniel Faulkner's murder, the NAACP Legal Defense Fund, or LDF, decided they would join the fray.

For decades before Mr. Adebile assumed his leadership role in the LDF, the LDF served as a force for truth and justice for all Americans—a very important and well-deserved reputation for having done that. But, unfortunately, LDF's representation of Abu-Jamal promoted neither truth nor justice.

It is important to point out this is not a case about every accused person deserving a legal defense. That is a principle upon which I hope there is no disagreement, certainly not from me. The fact is, though, Abu-Jamal had multiple high-cost lawyers already volunteering their time.

Mr. Adebile was director of litigation for the LDF. He told the Senate Judiciary Committee that he "supervised the entire legal staff" at LDF—18 lawyers. Also, he was, in the words of the LDF's own Web site, responsible for LDF's advocacy "both in the courts of law and in the court of public opinion."

This is important to understand because this duty to supervise has very specific implications for lawyers. A lawyer must confirm that the lawyers he oversees are honest while presenting facts in a case. The law backs this up. Supervising lawyers can be sued for malpractice or sanctioned by a court for the actions of the lawyers he or she supervises.

And how did the LDF's lawyers comport themselves under Mr. Adebile's

direction and leadership and supervision? Well, under Mr. Adebile's oversight, LDF lawyers promoted the pernicious myth that Abu-Jamal was an innocent man and that he was framed because of his race.

There was never any merit to the claims of racism. That was a conclusion that was investigated and reached by both State and Federal courts.

In fact, the jury that convicted and sentenced Abu-Jamal to death included two African Americans and would have included one more except that Abu-Jamal himself ordered his lawyer not to seat that third juror.

Yet, in February of 2011, Mr. Adebile's group issued a press release stating that "Mumia Abu-Jamal's conviction and death sentence are relics of a time and place that was notorious for police abuse and racial discrimination."

In May of 2011, two of the lawyers supervised by Mr. Adebile traveled to France. They went there for a rally on behalf of Mumia Abu-Jamal.

One LDF lawyer said she was "overjoyed" that Abu-Jamal's death sentence was suspended, but she bemoaned the fact that Abu-Jamal would not have a new trial and so could not be set free.

The other LDF lawyer described Abu-Jamal as one of the "people who are innocent" but "will continue to be put to death in America."

At another event in New York City that same year, a lawyer working for Mr. Adebile gushed, "It is absolutely my honor to represent Mumia Abu-Jamal." She continued: "there is no question in my mind, there is no question in the mind of anyone at the Legal Defense Fund, that the justice system has completely and utterly failed Mumia Abu-Jamal" and that failure "has everything to do with race."

I agree that the justice system has failed. But it has failed Officer Danny Faulkner and his family.

No one understands this story of injustice better than Officer Danny Faulkner's widow Maureen. Maureen Faulkner pleaded with the Senate Judiciary Committee for a chance to tell her story, for a chance to testify before the committee as they were deliberating the candidacy of Mr. Adebile. But the Senate Democrats on the committee would not allow her to testify. They did not let her tell her story and, instead, they voted to send his name on to the Senate floor for confirmation.

I think Maureen Faulkner has a right to be heard. So I hope my colleagues will listen as I read a letter she wrote addressing all of us:

Dear Senators,

While I would have preferred to do so personally, I'm writing this letter appealing to your sense of right and wrong, good and evil as you consider the nomination of Debo Adebile to be the next head of the Civil Rights Division of the Department of Justice.

33 years ago my husband, Philadelphia Officer Daniel Faulkner, was violently murdered by a self-professed "revolutionary"

named Mumia Abu-Jamal. I was 24 years old. While most of my friends spent their summer at the Jersey Shore, I sat in a hot steamy courtroom and watched in horror and disbelief as the man who murdered my husband tried to turn the courtroom into a political stage where he could spew his hatred and contempt for this country and our judicial system.

At the moment my husband's blood stained shirt was displayed by the evidence handler, Mumia Abu-Jamal turned in his chair and smirked at me; demonstrating his contempt for law enforcement. Thankfully, a racially mixed jury that was selected by Abu-Jamal while representing himself, found him guilty. The following day they sentenced him to death for the brutal act he committed.

That's when my second nightmare began. For three decades, my family and I endured appeal after appeal—each rooted in lies, distortions and allegations of civil rights violations. And year after year, judge after judge, the conviction and sentence were unanimously upheld. Then, thirty years after the fact, my family, society and I were denied justice when three Federal District Court judges who have found error in every capital case that has come before them overturned the death sentence.

Today, as my husband lies thirty three years in the grave, his killer has become a wealthy celebrity. He pens books and social commentaries critical of our country. He regularly uses his nearly unlimited access to the prison telephone to do radio programs, has cable TV in his cell and is permitted to hold his wife, children and grandchildren in his arms when they visit.

Old wounds have once again been ripped open and additional insult is brought upon our law enforcement community in this country by President Obama's nomination of Debo Adebile. While publicly demonstrating that he doesn't even know my husband's name, Mr. Adebile fawns sympathy and caring for my family and me.

In reality, Mr. Adebile was a willing and enthusiastic accomplice in Mumia Abu-Jamal's bid to cheat us of the justice we had waited so many years for. Mr. Adebile freely chose to throw the weight of his organization behind Mumia Abu-Jamal and he has publicly stated that he would get Mumia Abu-Jamal off death row.

Mr. Adebile holds Mumia Abu-Jamal, a remorseless unrepentant cop killer, in high esteem. We know this because attorneys working under Mr. Adebile's supervision have stood before public rallies held in support of my husband's killer and openly professed that it was "an extreme honor" to represent the man who put a hollow based bullet into my husband's brain as he lay on the ground, wounded, unarmed and defenseless. And while Mr. Adebile and those who support his nomination will undoubtedly argue that he did not personally make such statements, he did nothing to counter or stop them.

In the end, like so many attorneys before him, Mr. Adebile's allegations of civil rights abuse rang hollow. Mumia Abu-Jamal's death sentence was overturned not because of civil right abuse as alleged by Mr. Adebile, but because three judges with a personal dislike for capital punishment conveniently determined that the wording in a standard form given to the jury might have confused them.

While Debo Adebile may be a well qualified and competent litigator, through his words, his decisions and his actions, he has clearly and repeatedly demonstrated that he is not the best person to fill this important position. Certainly there are others with similar qualifications that would be better

choices. I would argue that Mr. Adebile's decision to defend a cop killer should preclude him from holding any public position.

Your decision means a lot to me personally. The thought that Mr. Adebile would be rewarded, in part, for the work he did for my husband's killer is revolting.

Throughout my long ordeal I have frequently been labeled a racist by many who support my husband's killer simply because he is black and I white. I have also been asked to throw my name, my voice and my support behind political candidates from both parties. In each case I have declined. I have always believed that my husband's death and my quest for justice transcends politics and race.

From my heart, I'm asking you to do the same thing. Set aside any partisan feelings you have and do the right thing today when you vote on Mr. Adebile's confirmation. Please spare my family and me from further pain.

Sincerely, Maureen Faulkner.

As the Justice Department's Web site explains, the Civil Rights Division of the Justice Department "fulfills a critical mission in upholding the civil and constitutional rights of all individuals." Clearly, this requires that the head of the Civil Rights Division have an absolute commitment to truth and justice. There are many highly qualified Americans who can carry out this critical mission. Mr. Adebile's record creates serious doubts that he is among them. For these reasons, I urge my colleagues to oppose the nomination of Mr. Debo Adebile to serve as Assistant Attorney General for the Justice Department's Civil Rights Division.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, I am here now for the 60th time to ask my colleagues to wake up to the threats of climate change. To see the damage that is being caused by our shifting climate, we need look no further than the Winter Olympics. The most recent Winter Olympics concluded last month. Over 200 countries broadcast the event to an estimated 3.8 billion people worldwide. In Rhode Island, we rooted for our very own Marissa Castelli, who brought home a bronze medal in pairs figure skating.

But what does the future hold for the Winter Olympics? As global temperatures rise and weather patterns shift, the world's glaciers are receding and snowpack in traditionally snowy regions is declining.

A report from the University of Waterloo found that February daytime high temperatures during the Winter Games have been steadily increasing from the 1920s and the 1950s to the 21st century. This forced the International